



State of Vermont  
**PERMIT AND LICENSE INFORMATION**

<b>SOLID WASTE: CERTIFICATION OF COMPOSTING FACILITIES</b>
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**SUMMARY  
DESCRIPTION OF  
PERMIT**

Certification authorizes owner/operator to compost various materials, such as: leaf and yard waste, agricultural waste, and source separated organic wastes (e.g. food waste). The type of certification depends upon the source, type, and amount (cubic yards per year) of materials handled by the facility.

**TRIGGER  
QUESTIONS**

Are you going to collect and compost materials?  
 Are you going to collect and compost more than 100 cubic yards per year of total feedstocks?  
 Are you going to collect and compost any amount of food residual of food processing residuals?

**EXAMPLE OF  
ACTIVITY**

Certain types of composting facilities (see below).

**CRITERIA FOR  
JURISDICTION**

Facilities which compost the following materials are exempt from the Solid Waste Management Rules:

- 1) less than 100 cubic yards per year of any feedstocks;
- 2) less than 3,000 cubic yards per year of solely leaf, yard, plant and untreated wood residuals;
- 3) any amount of animal manure, absorbent bedding and clean high carbon bulking agents provided the compost is used for soil enrichment;
- 4) farm generated vegetative waste in any amount if composted on a farm
- 5) less than 1,000 cubic yards of food processing residuals when composting takes place on a farm; and
- 6) animal mortalities and slaughter house wastes when composted on the generating farm.

Note: If the Secretary determines that a composting activity has or may pose a threat to the public health and safety, the environment, or constitutes a nuisance, the activity will not be exempt from the provisions of the Solid Waste Management Rules.

Facilities that do not meet the exemption criteria may qualify for a small composting facility registration, a medium composting facility categorical certification, or a large composting facility full certification upon submission of an application that contains the information required by Sections 6-1104, 6-1105, 6-1106, 6-1107, 6-1108, 6-1109 and 6-1110 of the Solid Waste Management Rules as applicable.

Facilities that meet the following criteria may be eligible for a small composting facility registration:

- 1) compost 5,000 cubic yards per year or less of total organics – of which not more than 2,000 cubic yards are food residuals or food process

- residuals;
- 2) compost 10,000 cubic yards per year or less of solely leaf, yard, and untreated wood residuals;
- 3) do not compost animal mortalities, slaughterhouse waste or offal;
- 4) have a compost management area four acres or less in size.

Facilities that meet the following criteria may be eligible for a medium composting facility categorical certification:

- 1) compost more than 10,000 cubic yards per year of leaf and yard waste
- 2) compost 40,000 cubic yards or less per year of total organics in any of the following feedstocks:
  - a. not more than 5,000 cubic yards per year are food residuals or food processing residuals
  - b. not more than 10 tons of animal, animal offal and butcher waste per month
- 3) have a compost management area of less than 10 acres in size.

Facilities that do not qualify for a small composting facility registration or a medium composting facility categorical certification may be eligible for a large composting facility full certification.

Note: Composting of any amount of septage and/or sludge does not qualify for a composting registration or certification. Composting any amount of sewage sludge or septage will be managed as a diffuse disposal facility.

#### WEB ADDRESS

<http://www.anr.state.vt.us/dec/wastediv/solid/home.htm>

NOTE: If an applicant qualifies for medium composting facility categorical certification, the applicant must notify all adjoining landowners about the planned composting operation at least 14 days prior to submission of the application to the program in accordance with Section 6-1105(j)(1). If an applicant qualifies for a large composting full certification public notice shall be conducted in accordance with 6-304(h).

The maximum term for certifications is 10 years. There is no expiration for small composting facility registrations.

#### FEES

No application fee required for composting facilities

#### APPLICATION TIME FRAME

The performance standard for processing a complete application for a categorical certification is 30 days.

The performance standard for processing a complete application for a new or complex renewal of a composting facility is 150 days with a hearing. This period may run concurrently with the 90-day period for the background check review if one is required.

The performance standard for processing a complete application for a renewal is 90 days.

**ADMINISTERING  
AGENCY****AGENCY OF NATURAL RESOURCES  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
WASTE MANAGEMENT & PREVENTION DIVISION  
SOLID WASTE MANAGEMENT PROGRAM**

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1 National Life Drive – Davis 1  
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**AUTHORITY**

10 VSA Chapter 159 (for facilities required to obtain certification)

**APPLICABLE  
RULES**

Solid Waste Management Rules; Subchapter 11, Subchapters 3, 5, 7, 9, & 10

**APPEAL  
PROCESS**

Effective January 31, 2005, within 30 days of the date of an act or decision, any person aggrieved by an act or decision of the secretary, or any party by right, may appeal to the environmental court in accordance with the provisions of [10 VSA Chapter 220](#).

**OTHER PERMITS  
AND APPROVALS**

Contact a [Permit Specialist](#) for a Project Review Sheet.

<http://www.anr.state.vt.us/dec/ead/pa/index.htm>